

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

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|-----------------------------|---|------------------------|
| IN RE: DANNY GEORGE SAWYERS | : | CHAPTER 13 |
| Debtor | : | |
| | : | |
| JACK N. ZAHAROPOULOS | : | |
| STANDING CHAPTER 13 TRUSTEE | : | |
| Movant | : | |
| | : | |
| vs. | : | |
| | : | |
| DANNY GEORGE SAWYERS | : | |
| Respondent | : | CASE NO. 1-24-bk-01769 |

TRUSTEE'S OBJECTION TO FIRST AMENDED CHAPTER 13 PLAN

AND NOW, this 13th day of January 2025, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced Debtor(s)' Plan for the following reason(s):

1. The Trustee provides notice to the Court as to the ineffectiveness of Debtor(s) Chapter 13 Plan for the following reasons:

- a. The Plan contains inappropriate nonstandard provisions(s), contrary to § 1322(b)(11). See *In re Parkman*, 589 B.R. 567, 574 (Bankr. S.D. Miss. 2018); *In re Mank*, No. 19-04199, 2020 WL 1228671 at *2 (Bankr. E.D.N.C. Mar. 3, 2020). It appears that language in the non-standard provisions is in error, as interest at the Federal Judgment rate should only be paid to general unsecured creditors.

WHEREFORE, Trustee alleges and avers that Debtor(s) Plan cannot be confirmed, and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of Debtor(s) Plan.
- b. Dismiss or convert Debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

BY: /s/Douglas R. Roeder
Attorney for Trustee

CERTIFICATE OF SERVICE

AND NOW, this 13th day of January 2025, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

DAWN MARIE CUTAIA, ESQUIRE
FRESH START LAW, PLLC
1701 WEST MARKET STREET
YORK, PA 17404-

/s/Tammy Life
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee